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WATER POLLUTION:

EPA faces expanded oversight, lawsuit threat over spill

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As U.S. EPA Administrator Gina McCarthy visits the site of the Gold King mine wastewater accident today, both state and federal officials vowed to scrutinize the agency's response to the accident, including a potential lawsuit from Colorado's attorney general.

McCarthy, who is touring Colorado and New Mexico, is slated to make public remarks this afternoon about the incident that has pumped more than 3 million gallons of wastewater containing arsenic and other heavy metals into the Animas River.

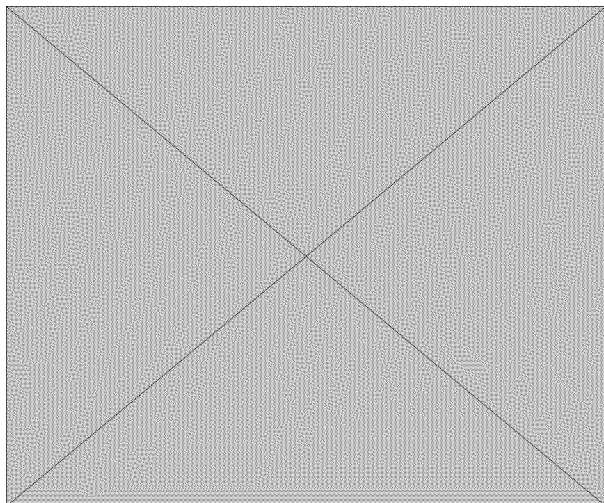
The accident was triggered last week by an EPA team investigating contamination at the mine, which is located in Colorado's southwestern corner.

House Natural Resources Chairman Rob Bishop (R-Utah) said his panel will conduct "extensive oversight" into the accident when Congress reconvenes next month.

"EPA's grave blunder is posing a serious threat to both the environment and the economy in Colorado, New Mexico, Utah, and Arizona. Lands and projects managed by the Department of the Interior and Forest Service -- not to mention the tribal concerns -- within my committee's jurisdiction will be seriously and negatively impacted," Bishop said in a statement.

Colorado Sen. Cory Gardner (R) similarly called for oversight hearings yesterday (*E&ENews PM*, Aug. 11).

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Bishop is also set to visit Lake Powell on Monday. Wastewater from the mine is expected to pour into the reservoir, located on the Utah-Arizona line and bound by the Glenn Canyon Dam, as early as today.

The Arizona Department of Environmental Quality began testing that water earlier this week and will continue to do so, although officials do not expect to find significant changes.

"We don't anticipate that there is going to be a significant impact to the Arizona side of Lake Powell," Arizona DEQ Water Quality Division Director Trevor Baggione told *USA Today*.

But during a visit to Durango today to view the Animas River, Colorado Attorney General Cynthia Coffman (R), the wife of Rep. Mike Coffman (R), told *The Denver Post* she is weighing a lawsuit against EPA over the spill.

"I would hope that it would not be necessary," Coffman said. "The statements by [McCarthy] indicate the EPA is accepting responsibility for the accident. The question is: What does that mean? What does accepting responsibility mean?"

California Sen. Barbara Boxer, the top Democrat on the Environment and Public Works Committee, released her own letter to McCarthy yesterday, urging EPA officials to commit to doing "whatever is necessary to mitigate the spill and its impact," as well as keeping local communities up to date on its actions.

"I know you agree that protecting the health of the families and children that are affected by this large release of contaminated wastewater must be the EPA's top priority," Boxer wrote.

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